

164  
ORDINANCE NO. 164

An Ordinance of the Borough of South New Castle, Lawrence County, Pennsylvania, Amending Ordinance No. 128, Section 2(A) Section 6(B) and Section 7, by assessing the cost of refuse collection to all persons; providing for billing procedures, and prescribing penalties for violation.

Be It Enacted and Ordained, and it is hereby enacted and ordained by the Council of the Borough of South New Castle, Lawrence County, Pennsylvania, as follows:

Section 1: Ordinance No. 128, Section 2(A), is hereby amended to read as follows:

"Section 2. Administration

A. All refuse accumulated in the Borough of South New Castle shall be collected, conveyed and disposed of by the Borough by providing contracts and the cost of such service shall be paid by each person. It shall be unlawful for any person to collect, convey over any of the streets or alleys of the Borough, or dispose of any refuse accumulated in the Borough, provided however, that this ordinance shall prohibit the actual producers of refuse, or the owners of premises upon which refuse has accumulated, and disposing of such refuse."

Section 2: There shall be and there is hereby added to Ordinance No. 128, Section 2(E), which shall read as follows:

"Section 2(E). Fees for Collection and Disposal.

Every person, firm, association or corporation producing garbage, rubbish or ashes, or being responsible for the disposal or existence of such garbage, rubbish, or ashes, or for whom such garbage, rubbish or ashes are removed, or being the owner of any premises on which garbage, rubbish or ashes is in existence or is produced, and which accumulations require removal, shall pay and be subject to the following fees for such services:

1. For single houses, modular homes, duplexes, and apartments of three (3) or more units, the fee shall be the sum of forty-two (\$42.00) Dollars, twenty-one (\$21.00) Dollars for six (6) months per family or per unit for collection of waste materials. The Landlord is ultimately responsible for collection and payment by tenants.

Section 3: Ordinance No. 128, Section 6, is hereby amended to read as follows:

"Section 6. Contract.

A. The Borough Council is hereby authorized to enter into a contract with private individuals or private

concerns for the collection of said refuse. The contract or contracts are to be made by the Borough to the best advantage of the Borough and the collection of said refuse. Such private collector of refuse shall post bond for the faithful execution of this contract.

B. Each person shall pay as billed by the collector for South New Castle Borough.

C. During the time any contract is made by the Borough with a private person or persons or concerns and while the contract is in force and while such persons continue to lawfully perform the duties imposed upon them by the said contract, it shall be unlawful for any other person or persons or concerns to follow the trade, business, or calling of refuse collection within the said Borough."

Section 4: Ordinance No. 128, Section 7, is hereby amended to read as follows:

"Section 7. Penalty for Violation. Any person whether as principal, agent or employee violating or assisting in the violation of any of the provisions of this ordinance or any regulation made by Council or the Borough Secretary under the provisions hereof shall, upon conviction thereof, pay a fine of not less than twenty-five (\$25.00) Dollars or more than One Hundred (\$100.00) Dollars and in default of payment of such fine shall be imprisoned in the County jail for not more than ten (10) days. After notice, each day's neglect to comply with the provisions of this ordinance or any such regulation shall be deemed a separate offense and be subject in all respects to the same penalty as the first offense and separate proceedings may be instituted and separate penalties imposed for each such day's offense after the first conviction."

Enacted and Ordained this \_\_\_\_\_ day of January, 1987.

Stanley K. Rosen  
President of Council

ATTEST:

Marilyn A. Klein  
Borough Secretary

Examined and approved by me this 10 day of January

[Signature]  
Mayor